

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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UNITED STATES OF AMERICA,

Plaintiff,  
v.  
Case No. 19-CV-1550

MODS INTERNATIONAL INC.,

Defendant.

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COMPLAINT

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NOW COMES the plaintiff, United States of America, by and through its attorneys, Matthew D. Krueger, United States Attorney for the Eastern District of Wisconsin, and Lisa Yun, Assistant United States Attorney for said district, and hereby states as its civil complaint against the defendant, MODS International Inc., as follows:

1. The United States District Court for the Eastern District of Wisconsin has jurisdiction over the subject matter of this civil action pursuant to Title 28, United States Code, Section 1334. Venue is proper pursuant to Title 28, United States Code, Section 1331.
2. The plaintiff, United States of America, is a sovereign body responsible for the conduct and operation of government. Through the Office of the United States Attorney for the Eastern District of Wisconsin, United States Department of Justice, it is responsible for the enforcement and collection of civil debts due and owing to the agencies, offices, and units of the United States of America.

3. Upon information and belief, the defendant, MODS International Inc., is a business operating at 5523 Integrity Way, Appleton, Wisconsin 54913, in the State and Eastern District of Wisconsin. As set forth in this complaint, the defendant is presently indebted to the plaintiff.

4. As described in the Certificates of Indebtedness attached to this complaint as Exhibits A through H, the defendant owes the plaintiff the total principal monetary sum of \$70,012.50, plus interest, penalties, Administrative fees, Debt Management Services (DMS) fees, and Department of Justice (DOJ) fees.

5. To date, the defendant has not paid the indebtedness to the plaintiff in full, although the plaintiff has made demand for payment.

WHEREFORE, the plaintiff, United States of America, hereby requests that the Court enter a civil judgment against the defendant for the following eight claims. All eight claims are current through August 19, 2019, and have additional interest accruing thereafter and to the date of the entry of judgment at the annual rate of 1% as well as a penalty fee at the rate of 6%:

\$4,400.00 in principal plus \$210.32 in interest, \$1,239.89 in penalties, \$2,138.12 in fees (Administrative, DMS, and DOJ);

\$8,623.50 in principal plus \$231.99 in interest, \$1,348.81 in penalties, \$3,484.97 in fees (Administrative, DMS, and DOJ);

\$27,523.00 in principal plus \$496.67 in interest, \$2,842.40 in penalties, \$11,226.27 in fees (Administrative, DMS, and DOJ);

\$14,487.00 in principal plus \$261.43 in interest, \$1,496.13 in penalties, \$5,553.31 in fees (Administrative, DMS, and DOJ);

\$13,761.00 in principal plus \$248.33 in interest, \$1,421.16 in penalties, \$5,276.36 in fees (Administrative, DMS, and DOJ);

\$406.00 in principal plus \$7.32 in interest, \$41.93 in penalties, \$181.69 in fees (Administrative, DMS, and DOJ);

\$406.00 in principal plus \$7.32 in interest, \$41.93 in penalties, \$181.69 in fees (Administrative, DMS, and DOJ);

\$406.00 in principal plus \$7.32 in interest, \$41.93 in penalties, \$181.69 in fees (Administrative, DMS, and DOJ).

After judgment is entered, a new post-judgment interest rate will apply and interest will accrue on all claims at the legal rate until the indebtedness is paid in full.

The plaintiff, United States of America, further requests that the Court award it those reasonable costs and expenses incurred in the litigation of this action, along with such other legal and equitable relief as it deems appropriate.

Respectfully submitted at Milwaukee, Wisconsin this 18th day of October, 2019.

MATTHEW D. KRUEGER  
United States Attorney

By: /s/ Lisa Yun

LISA YUN  
Assistant United States Attorney  
State Bar #: 1078905  
Attorney for the Plaintiff  
530 Federal Building  
517 East Wisconsin Avenue  
Milwaukee, Wisconsin 53202-4580  
Telephone No.: (414) 297-1700  
Fax No.: (414)297-4394  
[Lisa.Yun@usdoj.gov](mailto:Lisa.Yun@usdoj.gov)

**CIVIL COVER SHEET**

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

Place an "X" in the appropriate box (required):  Green Bay Division  Milwaukee Division

**I. (a) PLAINTIFFS**

(b) County of Residence of First Listed Plaintiff \_\_\_\_\_  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

**DEFENDANTS**

County of Residence of First Listed Defendant  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF  
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- |                                                      |                                                                                    |
|------------------------------------------------------|------------------------------------------------------------------------------------|
| <input type="checkbox"/> 1 U.S. Government Plaintiff | <input type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)          |
| <input type="checkbox"/> 2 U.S. Government Defendant | <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III) |

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)  
(For Diversity Cases Only)

	PTF	DEF	PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4 <input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5 <input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6 <input type="checkbox"/> 6

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<b>PERSONAL INJURY</b> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/ Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark
<b>REAL PROPERTY</b>	<b>CIVIL RIGHTS</b>	<b>PRISONER PETITIONS</b>	<b>LABOR</b>	<b>SOCIAL SECURITY</b>
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/ Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	<input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act	<input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))
			<b>IMMIGRATION</b>	<b>FEDERAL TAX SUITS</b>
			<input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609
				<input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes

**V. ORIGIN** (Place an "X" in One Box Only)

- |                                                |                                                     |                                                          |                                                   |                                                                        |                                                                |                                                                   |
|------------------------------------------------|-----------------------------------------------------|----------------------------------------------------------|---------------------------------------------------|------------------------------------------------------------------------|----------------------------------------------------------------|-------------------------------------------------------------------|
| <input type="checkbox"/> 1 Original Proceeding | <input type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened | <input type="checkbox"/> 5 Transferred from Another District (specify) | <input type="checkbox"/> 6 Multidistrict Litigation - Transfer | <input type="checkbox"/> 8 Multidistrict Litigation - Direct File |
|------------------------------------------------|-----------------------------------------------------|----------------------------------------------------------|---------------------------------------------------|------------------------------------------------------------------------|----------------------------------------------------------------|-------------------------------------------------------------------|

<b>VI. CAUSE OF ACTION</b>	Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
	Brief description of cause: Workplace OSHA safety violations

<b>VII. REQUESTED IN COMPLAINT:</b>	<input type="checkbox"/> CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.	<b>DEMAND \$</b>	CHECK YES only if demanded in complaint: <b>JURY DEMAND:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
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<b>VIII. RELATED CASE(S) IF ANY</b>	(See instructions):	JUDGE	DOCKET NUMBER
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DATE	SIGNATURE OF ATTORNEY OF RECORD
10/23/2019	/s/ Lisa Yun

**FOR OFFICE USE ONLY**

## INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

### Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use  
 (b) **County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the  
 (c) **Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here. United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box. Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.  
 Original Proceedings. (1) Cases which originate in the United States district courts.  
 Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.  
 Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.  
 Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.  
 Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C.  
 Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.  
**PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.  
 Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.  
 Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

**Date and Attorney Signature.** Date and sign the civil cover sheet.



U.S. DEPARTMENT OF THE TREASURY  
BUREAU OF THE FISCAL SERVICE  
WASHINGTON, D.C. 20227

ACTING ON BEHALF OF  
U.S. Department of Labor, Occupational Safety & Health Administration  
CERTIFICATE OF INDEBTEDNESS

Debtor Name(s) and Address(es):

MODS International Inc  
5523 Integrity Way  
Appleton, WI 54913

RE: Treasury Claim TRFM4059609

I certify that the U.S. Department of Labor, Occupational Safety & Health Administration (OSHA) records show that the debtor named above is indebted to the United States in the amount stated as follows:

Principal:	\$ 4,400.00
Interest through 08/19/19*:	\$ 210.32
Penalty fee through 08/19/19*:	\$ 1,239.89
Admin fee:	\$ 20.00
DMS fees:	\$ 1,878.47
DOJ fees:	\$ 239.65

(pursuant to 31 U.S.C. 3717(e) and 3711(g)(6), (7); 31 C.F.R. 285.12(j) and 31 C.F.R. 901.1(f); and 28 U.S.C. 527, note)

**TOTAL debt owed as of 08/19/19: \$ 7,988.33**

\*NOTE: Per the creditor agency, once the debt is referred to Fiscal Service, interest continues to accrue at the rate of 1% per annum as well as a penalty at the rate of 6% per annum.

This debt reportedly arose in connection with the numerous workplace safety violations of the Occupational Safety and Health Act of 1970 (29 U.S.C. 650/651 et seq.) and OSHA regulations (29 C.F.R. 1926), as noted during the August – September 2014 OSHA inspections of the debtor's work site at 5523 Integrity Way, Appleton, WI 54913.

**CERTIFICATION:** Pursuant to 28 USC ss. 1746, I certify under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief based upon information provided by the U.S. Department of Labor, Occupational Safety & Health Administration.

X *Ashleigh Edmonds*  
August 19, 2019

Signed by: Ashleigh N. Edmonds

Ashleigh Edmonds  
Financial Program Specialist  
U.S. Department of the Treasury  
Bureau of the Fiscal Service

EXHIBIT  
A



U.S. DEPARTMENT OF THE TREASURY  
BUREAU OF THE FISCAL SERVICE  
WASHINGTON, D.C. 20227

ACTING ON BEHALF OF  
U.S. Department of Labor, Occupational Safety & Health Administration  
CERTIFICATE OF INDEBTEDNESS

Debtor Name(s) and Address(es):

MODS International Inc  
5523 Integrity Way  
Appleton, WI 54913

RE: Treasury Claim TRFM6318505

I certify that the U.S. Department of Labor, Occupational Safety & Health Administration (OSHA) records show that the debtor named above is indebted to the United States in the amount stated as follows:

Principal:	\$ 8,623.50
Interest through 08/19/19*:	\$ 231.99
Penalty fee through 08/19/19*:	\$ 1,348.81
Admin fee:	\$ 10.00
DMS fees:	\$ 3,064.29
DOJ fees:	\$ 410.68

(pursuant to 31 U.S.C. 3717(e) and 3711(g)(6), (7); 31 C.F.R. 285.12(j) and 31 C.F.R. 901.1(f); and 28 U.S.C. 527, note)

**TOTAL debt owed as of 08/19/19: \$ 13,689.27**

\*NOTE: Per the creditor agency, once the debt is referred to Fiscal Service, interest continues to accrue at the rate of 1% per annum as well as a penalty at the rate of 6% per annum.

This debt reportedly arose in connection with the numerous workplace safety violations of the Occupational Safety and Health Act of 1970 (29 U.S.C. 650/651 et seq.) and OSHA regulations (29 C.F.R. 1926), as noted during the August 2016 OSHA inspections of the debtor's work site at 5523 W Integrity Way, Appleton, WI 54913.

**CERTIFICATION:** Pursuant to 28 USC ss. 1746, I certify under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief based upon information provided by the U.S. Department of Labor, Occupational Safety & Health Administration.

X   
August 19, 2019

Signed by: Ashleigh N. Edmonds

Ashleigh Edmonds  
Financial Program Specialist  
U.S. Department of the Treasury  
Bureau of the Fiscal Service



U.S. DEPARTMENT OF THE TREASURY  
BUREAU OF THE FISCAL SERVICE  
WASHINGTON, D.C. 20227

ACTING ON BEHALF OF  
U.S. Department of Labor, Occupational Safety & Health Administration  
CERTIFICATE OF INDEBTEDNESS

Debtor Name(s) and Address(es):

MODS International Inc  
5523 Integrity Way  
Appleton, WI 54913

RE: Treasury Claim TRFM8119777

I certify that the U.S. Department of Labor, Occupational Safety & Health Administration (OSHA) records show that the debtor named above is indebted to the United States in the amount stated as follows:

Principal:	\$ 27,523.00
Interest through 08/19/19*:	\$ 496.67
Penalty fee through 08/19/19*:	\$ 2,842.40
Admin fee:	\$ 20.00
DMS fees:	\$ 9,264.62
DOJ fees:	\$ 1,241.65

(pursuant to 31 U.S.C. 3717(e) and 3711(g)(6), (7); 31 C.F.R. 285.12(j) and 31 C.F.R. 901.1(f); and 28 U.S.C. 527, note)

**TOTAL debt owed as of 08/19/19: \$ 41,388.34**

\*NOTE: Per the creditor agency, once the debt is referred to Fiscal Service, interest continues to accrue at the rate of 1% per annum as well as a penalty at the rate of 6% per annum.

This debt reportedly arose in connection with the numerous workplace safety violations of the Occupational Safety and Health Act of 1970 (29 U.S.C. 650/651 et seq.) and OSHA regulations (29 C.F.R. 1926), as noted during the March 2017 OSHA inspections of the debtor's work site at 5523 W Integrity Way, Appleton, WI 54913.

**CERTIFICATION:** Pursuant to 28 USC ss. 1746, I certify under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief based upon information provided by the U.S. Department of Labor, Occupational Safety & Health Administration.

X *Ashleigh Edmonds*  
August 19, 2019

Signed by: Ashleigh N. Edmonds

Ashleigh Edmonds  
Financial Program Specialist  
U.S. Department of the Treasury  
Bureau of the Fiscal Service

EXHIBIT  
C



U.S. DEPARTMENT OF THE TREASURY  
BUREAU OF THE FISCAL SERVICE  
WASHINGTON, D.C. 20227

ACTING ON BEHALF OF  
U.S. Department of Labor, Occupational Safety & Health Administration  
CERTIFICATE OF INDEBTEDNESS

Debtor Name(s) and Address(es):

MODS International Inc  
5523 Integrity Way  
Appleton, WI 54913

RE: Treasury Claim TRFM8119775

I certify that the U.S. Department of Labor, Occupational Safety & Health Administration (OSHA) records show that the debtor named above is indebted to the United States in the amount stated as follows:

Principal:	\$ 14,487.00
Interest through 08/19/19*:	\$ 261.43
Penalty fee through 08/19/19*:	\$ 1,496.13
Admin fee:	\$ 20.00
DMS fees:	\$ 4,879.37
DOJ fees:	\$ 653.94

(pursuant to 31 U.S.C. 3717(e) and 3711(g)(6), (7); 31 C.F.R. 285.12(j) and 31 C.F.R. 901.1(f); and 28 U.S.C. 527, note)

**TOTAL debt owed as of 08/19/19: \$ 21,797.87**

\*NOTE: Per the creditor agency, once the debt is referred to Fiscal Service, interest continues to accrue at the rate of 1% per annum as well as a penalty at the rate of 6% per annum.

This debt reportedly arose in connection with the numerous workplace safety violations of the Occupational Safety and Health Act of 1970 (29 U.S.C. 650/651 et seq.) and OSHA regulations (29 C.F.R. 1926), as noted during the March 2017 OSHA inspections of the debtor's work site at 5523 W Integrity Way, Appleton, WI 54913.

**CERTIFICATION:** Pursuant to 28 USC ss. 1746, I certify under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief based upon information provided by the U.S. Department of Labor, Occupational Safety & Health Administration.

X *Ashleigh Edmonds*  
August 19, 2019

Signed by: Ashleigh N. Edmonds

Ashleigh Edmonds  
Financial Program Specialist  
U.S. Department of the Treasury  
Bureau of the Fiscal Service





U.S. DEPARTMENT OF THE TREASURY  
BUREAU OF THE FISCAL SERVICE  
WASHINGTON, D.C. 20227

ACTING ON BEHALF OF  
U.S. Department of Labor, Occupational Safety & Health Administration  
CERTIFICATE OF INDEBTEDNESS

Debtor Name(s) and Address(es):

MODS International Inc  
5523 Integrity Way  
Appleton, WI 54913

RE: Treasury Claim TRFM8119779

I certify that the U.S. Department of Labor, Occupational Safety & Health Administration (OSHA) records show that the debtor named above is indebted to the United States in the amount stated as follows:

Principal:	\$ 13,761.00
Interest through 08/19/19*:	\$ 248.33
Penalty fee through 08/19/19*:	\$ 1,421.16
Admin fee:	\$ 20.00
DMS fees:	\$ 4,635.15
DOJ fees:	\$ 621.21

(pursuant to 31 U.S.C. 3717(e) and 3711(g)(6), (7); 31 C.F.R. 285.12(j) and 31 C.F.R. 901.1(f); and 28 U.S.C. 527, note)

**TOTAL debt owed as of 08/19/19: \$ 20,706.85**

\*NOTE: Per the creditor agency, once the debt is referred to Fiscal Service, interest continues to accrue at the rate of 1% per annum as well as a penalty at the rate of 6% per annum.

This debt reportedly arose in connection with the numerous workplace safety violations of the Occupational Safety and Health Act of 1970 (29 U.S.C. 650/651 et seq.) and OSHA regulations (29 C.F.R. 1926), as noted during the March 2017 OSHA inspections of the debtor's work site at 5523 W Integrity Way, Appleton, WI 54913.

**CERTIFICATION:** Pursuant to 28 USC ss. 1746, I certify under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief based upon information provided by the U.S. Department of Labor, Occupational Safety & Health Administration.

X *Ashleigh Edmonds*  
August 19, 2019

Signed by: Ashleigh N. Edmonds

Ashleigh Edmonds  
Financial Program Specialist  
U.S. Department of the Treasury  
Bureau of the Fiscal Service





U.S. DEPARTMENT OF THE TREASURY  
BUREAU OF THE FISCAL SERVICE  
WASHINGTON, D.C. 20227

ACTING ON BEHALF OF  
U.S. Department of Labor, Occupational Safety & Health Administration  
CERTIFICATE OF INDEBTEDNESS

Debtor Name(s) and Address(es):

MODS International Inc  
5523 Integrity Way  
Appleton, WI 54913

RE: Treasury Claim TRFM8119778

I certify that the U.S. Department of Labor, Occupational Safety & Health Administration (OSHA) records show that the debtor named above is indebted to the United States in the amount stated as follows:

Principal:	\$	406.00
Interest through 08/19/19*:	\$	7.32
Penalty fee through 08/19/19*:	\$	41.93
Admin fee:	\$	20.00
DMS fees:	\$	142.58
DOJ fees:	\$	19.11

(pursuant to 31 U.S.C. 3717(e) and 3711(g)(6), (7); 31 C.F.R. 285.12(j) and 31 C.F.R. 901.1(f); and 28 U.S.C. 527, note)

**TOTAL debt owed as of 08/19/19: \$ 636.94**

\*NOTE: Per the creditor agency, once the debt is referred to Fiscal Service, interest continues to accrue at the rate of 1% per annum as well as a penalty at the rate of 6% per annum.

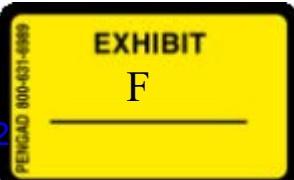
This debt reportedly arose in connection with the numerous workplace safety violations of the Occupational Safety and Health Act of 1970 (29 U.S.C. 650/651 et seq.) and OSHA regulations (29 C.F.R. 1926), as noted during the March 2017 OSHA inspections of the debtor's work site at 5523 W Integrity Way, Appleton, WI 54913.

**CERTIFICATION:** Pursuant to 28 USC ss. 1746, I certify under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief based upon information provided by the U.S. Department of Labor, Occupational Safety & Health Administration.

X *Ashleigh Edmonds*  
August 19, 2019

Signed by: Ashleigh N. Edmonds

Ashleigh Edmonds  
Financial Program Specialist  
U.S. Department of the Treasury  
Bureau of the Fiscal Service





U.S. DEPARTMENT OF THE TREASURY  
BUREAU OF THE FISCAL SERVICE  
WASHINGTON, D.C. 20227

ACTING ON BEHALF OF  
U.S. Department of Labor, Occupational Safety & Health Administration  
CERTIFICATE OF INDEBTEDNESS

Debtor Name(s) and Address(es):

MODS International Inc  
5523 Integrity Way  
Appleton, WI 54913

RE: Treasury Claim TRFM8119780

I certify that the U.S. Department of Labor, Occupational Safety & Health Administration (OSHA) records show that the debtor named above is indebted to the United States in the amount stated as follows:

Principal:	\$	406.00
Interest through 08/19/19*:	\$	7.32
Penalty fee through 08/19/19*:	\$	41.93
Admin fee:	\$	20.00
DMS fees:	\$	142.58
DOJ fees:	\$	19.11

(pursuant to 31 U.S.C. 3717(e) and 3711(g)(6), (7); 31 C.F.R. 285.12(j) and 31 C.F.R. 901.1(f); and 28 U.S.C. 527, note)

**TOTAL debt owed as of 08/19/19: \$ 636.94**

\*NOTE: Per the creditor agency, once the debt is referred to Fiscal Service, interest continues to accrue at the rate of 1% per annum as well as a penalty at the rate of 6% per annum.

This debt reportedly arose in connection with the numerous workplace safety violations of the Occupational Safety and Health Act of 1970 (29 U.S.C. 650/651 et seq.) and OSHA regulations (29 C.F.R. 1926), as noted during the March 2017 OSHA inspections of the debtor's work site at 5523 W Integrity Way, Appleton, WI 54913.

**CERTIFICATION:** Pursuant to 28 USC ss. 1746, I certify under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief based upon information provided by the U.S. Department of Labor, Occupational Safety & Health Administration.

X *Ashleigh Edmonds*  
August 19, 2019

Signed by: Ashleigh N. Edmonds

Ashleigh Edmonds  
Financial Program Specialist  
U.S. Department of the Treasury  
Bureau of the Fiscal Service





U.S. DEPARTMENT OF THE TREASURY  
BUREAU OF THE FISCAL SERVICE  
WASHINGTON, D.C. 20227

ACTING ON BEHALF OF  
U.S. Department of Labor, Occupational Safety & Health Administration  
CERTIFICATE OF INDEBTEDNESS

Debtor Name(s) and Address(es):

MODS International Inc  
5523 Integrity Way  
Appleton, WI 54913

RE: Treasury Claim TRFM8119776

I certify that the U.S. Department of Labor, Occupational Safety & Health Administration (OSHA) records show that the debtor named above is indebted to the United States in the amount stated as follows:

Principal:	\$	406.00
Interest through 08/19/19*:	\$	7.32
Penalty fee through 08/19/19*:	\$	41.93
Admin fee:	\$	20.00
DMS fees:	\$	142.58
DOJ fees:	\$	19.11

(pursuant to 31 U.S.C. 3717(e) and 3711(g)(6), (7); 31 C.F.R. 285.12(j) and 31 C.F.R. 901.1(f); and 28 U.S.C. 527, note)

**TOTAL debt owed as of 08/19/19: \$ 636.94**

\*NOTE: Per the creditor agency, once the debt is referred to Fiscal Service, interest continues to accrue at the rate of 1% per annum as well as a penalty at the rate of 6% per annum.

This debt reportedly arose in connection with the numerous workplace safety violations of the Occupational Safety and Health Act of 1970 (29 U.S.C. 650/651 et seq.) and OSHA regulations (29 C.F.R. 1926), as noted during the March 2017 OSHA inspections of the debtor's work site at 5523 W Integrity Way, Appleton, WI 54913.

**CERTIFICATION:** Pursuant to 28 USC ss. 1746, I certify under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief based upon information provided by the U.S. Department of Labor, Occupational Safety & Health Administration.

X *Ashleigh Edmonds*  
August 19, 2019

Signed by: Ashleigh N. Edmonds

Ashleigh Edmonds  
Financial Program Specialist  
U.S. Department of the Treasury  
Bureau of the Fiscal Service



UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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UNITED STATES OF AMERICA,

Plaintiff,

Case No: 19-CV-1550

v.

MODS INTERNATIONAL INC.,

Defendant.

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NOTICE OF LAWSUIT AND REQUEST FOR WAIVER OF SERVICE OF SUMMONS

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TO: MODS International Inc.

The enclosed complaint is served upon you pursuant to Rule 4(d) of the Federal Rules of Civil Procedure.

A lawsuit has been commenced against you. A copy of the complaint is attached to this notice. It has been filed in the United States District Court for the Eastern District of Wisconsin and has been assigned docket number 19-CV-1550.

This is not a formal summons or notification from the court but rather a request that you sign and return this waiver of service in order to save the costs of serving you with a judicial summons and an additional copy of the complaint. The cost of service will be avoided if I receive a signed copy of the waiver within 30 days after the date designated below as the date on which this Notice and Request is sent. I am enclosing a stamped, self-addressed envelope for your use. An extra copy of the waiver is also attached for your records.

If you comply with this request and return the signed waiver, it will be filed with the court and no summons will be served upon you. The action will then proceed as if you had been served on the date the waiver is filed, except that you will not be required to answer the complaint before 60 days from the date designated below as the date on which this notice is sent.

If you do not return the signed waiver within the time indicated, I will take appropriate steps to effect formal service in a manner authorized by the Federal Rules of Civil Procedure and will then, to the extent authorized by those rules, ask the court to require you to pay the full costs of such service. Accordingly, please read the statement concerning the duty of parties to waive the service of the summons, which is set forth at the bottom of the waiver form.

I affirm that this request is being sent to you on behalf of the plaintiff, this 18<sup>th</sup> day of October, 2019.

/s/ Lisa Yun  
LISA YUN  
Assistant United States Attorney

## WAIVER OF SERVICE OF SUMMONS

**TO:** *Lisa Yun, Assistant United States Attorney  
Room 530, 517 East Wisconsin Avenue, Milwaukee, WI 53202*

I acknowledge receipt of your request that I waive service of a summons in the action of *United States v. MODS International Inc.*, Civil Case No. 19-CV-1550, in the United States District Court for the Eastern District of Wisconsin. I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without cost to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I be served with judicial process in the manner provided by Rule 4.

I will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

I understand that a judgment may be entered against me if an answer or motion under Rule 12 is not served upon you within 60 days after October 23, 2019.

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Date

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Signature  
MODS International Inc., Defendant

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Address

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City, State and Zip Code

## DUTY TO AVOID UNNECESSARY COSTS OF SERVICE OF SUMMONS

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the summons and complaint. A defendant located in the United States who, after being notified of an action and asked by a plaintiff located in the United States to waive service of a summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the complaint is unfounded or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the summons retains all defenses and objections (except any relating to the summons or to the service of the summons) and may later object to the jurisdiction of the court or to the place where the action has been brought.

A defendant who waives service must, within the time specified on the waiver form, serve on the plaintiff's attorney a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant. By waiving service, a defendant is allowed more time to answer than if the summons had been actually served when the request for waiver was received.

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 19-CV-1550

MODS INTERNATIONAL INC.,

Defendant.

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CERTIFICATE OF SERVICE BY MAILING

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I, Kim K. Camomilli, a Financial Litigation Agent in the Financial Litigation Unit of the United States Attorney for the Eastern District of Wisconsin; certify that on the 23<sup>rd</sup> day of October, 2019 at Milwaukee, Wisconsin, I properly enclosed in a postage-paid envelope a copy of the Complaint, Exhibit A through H, Civil Cover Sheet, Notice of Lawsuit and Request for Waiver of Service of Summons, two copies of the Waiver of Service and a blank copy of the Consent to Proceed Before a Magistrate Judge in the above-captioned action and certified mailed same to:

MODS International Inc.,  
Attn: Douglas A. Larson  
5523 Integrity Way  
Appleton, WI 54913

/s/ Kim K. Camomilli \_\_\_\_\_  
KIM K. CAMOMILLI  
Financial Litigation Agent  
Financial Litigation Unit